



General Assembly

Substitute Bill No. 6537

January Session, 2011

* ____HB06537JUD__031411____ *

AN ACT CONCERNING SPEEDY TRIALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-82m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 In accordance with the provisions of section 51-14, the judges of the
4 Superior Court shall make such rules as they deem necessary to
5 provide a procedure to assure a speedy trial for any person charged
6 with a criminal offense on or after July 1, 1985. Such rules shall provide
7 that (1) in any case in which a plea of not guilty is entered, the trial of a
8 defendant charged in an information [or indictment] with the
9 commission of a criminal offense shall commence within twelve
10 months from the filing date of the information or [indictment or from]
11 the date of the arrest, whichever is later, except that when such
12 defendant is incarcerated in a correctional institution of this state
13 pending such trial and is not subject to the provisions of section 54-82c,
14 the trial of such defendant shall commence within eight months from
15 the filing date of the information or [indictment or from] the date of
16 arrest, whichever is later, if the most serious charge contained in the
17 information is a felony, or within ninety days from the filing date of
18 the information or the date of arrest, whichever is later, if the most
19 serious charge contained in the information is a misdemeanor; [and]
20 (2) except as provided in subdivision (3) of this section, if a defendant

21 is not brought to trial within the time limit set forth in subdivision (1)
 22 of this section and a trial is not commenced within thirty days of a
 23 motion for a speedy trial made by the defendant at any time after such
 24 time limit has passed, the information [or indictment] shall be
 25 dismissed; and (3) if a defendant is incarcerated in a correctional
 26 institution of this state pending trial and is not subject to the provisions
 27 of section 54-82c, only one information is filed against the defendant
 28 and the most serious charge contained in the information is a
 29 misdemeanor, and the defendant is not brought to trial within the
 30 ninety-day limit set forth in subdivision (1) of this section, (A) the
 31 defendant shall be released by the court upon the defendant's
 32 execution of a written promise to appear with such nonfinancial
 33 conditions, if any, found sufficient to reasonably assure the appearance
 34 of the defendant in court, (B) the trial of such defendant shall
 35 commence within twelve months from the filing date of the
 36 information or the date of the arrest, whichever is later, and (C) if the
 37 trial is not commenced within such twelve-month limit, the
 38 information shall be dismissed. Such rules shall include provisions to
 39 identify periods of delay caused by the action of the defendant, or the
 40 defendant's inability to stand trial, to be excluded in computing the
 41 time limits set forth in subdivision (1) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	54-82m
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Statement of Legislative Commissioners:

In Subdiv. (3), language was added concerning the incarcerated defendant not being subject to Sec. 54-82c, for consistency with the language of Subdiv. (1).

JUD *Joint Favorable Subst.*